

**The Bronx
Defenders**

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By ECF

March 25, 2021

Honorable Analisa Torres
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, N.Y. 10007-1312

Re: Monitor's Motion to Seal

Floyd et al. v. City of New York, No. 08-cv-01034 (AT)
Davis et al. v. City of New York, et al., No. 10-cv-0699 (AT)
Ligon et al. v. City of New York, No. 12-cv-2274 (AT)

Dear Judge Torres:

On behalf of the plaintiffs in these three stop-and-frisk cases, we write in response to the motion the Monitor filed yesterday seeking an order requiring that certain information in a forthcoming motion from the plaintiffs be filed under seal. *See* Dkt Nos. 819 and 820, *Floyd et al. v. City of New York*, No. 08-cv-01034 (AT). As an initial matter, the plaintiffs request that they have until April 8 to file their opposition to the Monitor's motion. This deadline is only a slight extension of the ten-day response time ordinarily required, and it is necessary because a number of plaintiffs' counsel will be unavailable next week. We advised all parties of this proposed deadline yesterday and received no objection.

We also object to the Monitor having filed a portion of his motion under seal. We do not believe this filing meets the extremely demanding First Amendment and common-law standards governing the sealing of court filings. We intend to address this objection in our opposition to the Monitor's motion.

Finally, we intend to submit the plaintiffs' motion under seal—on an interim basis, until such time as the Court can rule on the Monitor's motion following full briefing, and reserving plaintiffs' objection. We will seek to do so by 5:00 p.m. today.

Respectfully submitted,

/s/ Jenn R. Borchetta
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THE BRONX DEFENDERS

Christopher Dunn

* Admission in S.D.N.Y. pending.

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Date: March 25, 2021
New York, N.Y.

CC by ECF:
Monitor
All parties